

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.13682 of 2003

Dated: 11-07-2007

Between:

M/s. Crocodile Show Room,
rep. by its Partner, Rajiv Shroff, s/o Shree Kant Shroff.

... Petitioner

and

1. The Municipal Corporation of Hyderabad,
rep. by its Commissioner, Tank Bund Road,
Hyderabad and another.

... Respondents

ORDER:

This writ petition is filed seeking a *mandamus* to declare the action of respondents in treating the name board/Board frame fixed by petitioner on the parapet wall of its business place is covered by Sections 420 and 421 of the Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act') and consequently demanding fee vide Notice, by way of Proceedings No.7862/AI/WZ/Advt./MCH/2002-2003, dated 27-01-2003 for the same, as illegal and arbitrary.

2. With regard to the same issue a batch of writ petitions were filed and

this Court in **KASTURI BROTHERS, DRESS MATERIALS AND SAREE SHOP, HYDERABAD v. M.C.H.**^[1] disposed of the said writ petitions holding that as the advertisement and illuminated advertisement not defined in the Act and as the Glow Signboard comes within the meaning of advertisement or illuminated advertisement and as it is a mixed question of fact and law, petitioners were directed to submit their representations to respondents and thereafter, respondents may consider the same and pass appropriate orders.

3. As the grievance of petitioners in the case on hand is similar to that of the point involved in those writ petitions, this writ petition is disposed of with a direction to petitioner to offer its explanation within a period of four weeks from the date of receipt of a copy of this order, and on such application being filed, respondent Municipal Corporation may consider the same and pass appropriate orders.

4. Accordingly, the writ petition is disposed of. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.11-07-2007
GLV

^[1] 2007 (1) ALD 481